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U S DISTRICT COURT E.D.N.Y.
★ JUN 07 2011 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARLYN BRAITHWAITE,

Plaintiff,

-against-

KINGSBORO PSYCHIATRIC CENTER,
AND THE NEW YORK STATE OFFICE
OF MENTAL HEALTH,

Defendants.

-----X
NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff pro se Marlyn Braithwaite brought a Complaint against Kingsboro Psychiatric Center and the New York State Office of Mental Health. (Compl. (Docket Entry # 1) at 1; Order (Docket Entry # 16).) This court granted summary judgment to Defendants on Plaintiff's Title VII and ADEA claims (See Mem. & Order (Docket Entry # 41)), and on Plaintiff's First Amendment retaliation claim under 42 U.S.C. § 1983 (See Mem. & Order (Docket Entry # 43).) On September 9, 2011, Plaintiff filed a motion for reconsideration that essentially reasserted her claim that her "rights were violated" and she "did suffer [r]etaliation." (Docket Entry # 66.)

A motion for reconsideration, pursuant to Local Rule 6.3, will generally be denied unless the moving party can establish: "(1) that the court overlooked controlling decisions or data; (2) that there has been a change in decisions or data; (2) that there has been a change in controlling law; (3) that new evidence has become available; or (4) that reconsideration is necessary to correct a clear error or prevent manifest injustice." Hughes v. McWilliams, 04-CV-7030 (KMW), 2009 WL 2971757, at *1 (S.D.N.Y. Sept. 16, 2009) (citing Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995)). Courts narrowly construe and strictly apply the Rule in order to avoid "repetitive arguments on issues that have already been considered fully by the

court.” Caleb & Co. v. E.I. Du Pont De Nemours & Co., 624 F. Supp. 747, 748 (S.D.N.Y. 1985).

Plaintiff, in her conclusory motion, does nothing more that state that her claims have merit, without citing any basis upon which reconsideration can be justified. Consequently, Plaintiff’s motion for reconsideration is DENIED.

SO ORDERED.

Dated: Brooklyn, New York
June 7, 2011

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge